

## REMARKS

Status of the Claims

Claims 2, 3, 6 – 30 are pending. Claims 1, 4, and 5 have been cancelled. Claims 15 – 29 have been withdrawn from consideration.

Objection to the Specification

The objection to the amendments to paragraph 16 is traversed and should be withdrawn. The amendments to the specification render this rejection moot.

Claim Rejections

- I. The rejection of claims 3 and 30, citing 35 U.S.C. §112, first paragraph is traversed and should be withdrawn.

Claims 3 and 30 have been amended as recommended in the Office Action.

- II. The rejection of claims 2, 6 – 12, and 14, citing 35 U.S.C. §103(a), EP 0 698 464 to Shiina et al. (hereinafter “Shiina EP”), and US 3,987,134 to Shiina et al. (hereinafter, “Shiina US”) is traversed and should be withdrawn.

According to the claimed invention, a number of foamed bodies are connected in three dimensions. Shiina EP does not disclose that the foamed regions (2) are connected in three dimensions (see, Fig. 1E and the description of pellets size at column 9, lines 28 – 32 of the specification as filed).

Moreover, Shiina EP relates to a plastic rotational molded article. On the other hand, Shiina US relates to a press molded article. One of ordinary skill in the art would not combine the plastic rotational molded article with the press molded article, because the molding equipment and the conditions of a rotational molding method, i.e., temperature, pressure, etc. are different from those of a

press molding method.

Additionally, according to the claimed invention, the polyolefine pellets are covered in the whole surface with plastic. In response to the previous Office Action it was pointed out that the entire surface of Shiina EP's pellets is not coated with plastic as required by the current claims. The current Office Action deems this argument unpersuasive, because at Column 3, lines 66 – 68, Shiina US teaches it is "possible to extrude foamable raw material in a rod, coat it with unfoamable raw material and seal it by compression or twisting." The Office Action incorrectly concludes that compressing or twisting a filled rod would result in foamable pellets covered in its whole surface. When the compressed or twisted filled rod is cut into pellets, the pellets would not necessarily be coated on their whole surface. Shiina US provides no indication to the contrary.

#### Failure to Address Claims 8, 9, and 11

The Office Action fails to address claims 8, 9, and 11. Claims 8, 9, and 11 should be addressed in the next Office Action, which cannot properly be made FINAL.

#### Fee Authorization

The Director is hereby authorized to charge any deficiency in fees filed, asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account 14-1437. Please credit any excess fees to such account.

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Respectfully submitted,  
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